

Seatac Municipal Court  
Local Rules

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STMCLR 1.7  
ADOPTION OF LOCAL RULES

These rules are adopted pursuant to CrRLJ 1.7

[Adopted effective September 1, 2003]

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STMCLR 1.8  
TITLE OF RULES

These rules may be known and cited as the SeaTac Municipal  
Court Local Rules and shall be referred to as STMCLR.

[Adopted effective September 1, 2003]

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STMCLR 1.9  
READINESS TRIAL HEARINGS

1. A Readiness Hearing shall be held before the Municipal Court Judge in every case in which a timely demand for jury is made. Notice shall be given in open court by the Judge to all parties indicating the date and time for this hearing. At the Readiness Hearing the Prosecuting Attorney, the Defendant, and the Defendant's counsel (if any) must be present. By the Readiness hearing date, all discovery must be completed, and all motions must have been heard. Furthermore, parties shall advise the court if the case can be settled in a manner other than a jury trial. The Readiness Hearing date shall be set at least fourteen (14) days before the date of trial, unless otherwise ordered by the Court. The court will strike the scheduled Jury Trial and may issue a Bench Warrant for any Defendant that does not appear at the Readiness Hearing.

[Adopted effective September 1, 2003]

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STMCLR 1.10  
USE OF COLLECTION AGENCY AND ASSESSMENT  
AS COURT COSTS OF AMOUNTS PAID FOR COLLECTION SERVICES

The court shall use the services of a collection agency for the purposes of collecting unpaid and delinquent penalties on infractions, criminal fines, costs, assessments and forfeitures, on the terms and conditions of the contract for collection services between the City of SeaTac and said collection agency, and as may be subsequently amended. The collection agency's fee or charge, as set forth in said contract, shall be added by the collection agency as a court cost to the total judgment of the court against each defendant whose account is referred by the court to said collection agency.

[Adopted effective September 1, 2003]

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STMCLR 1.11  
REFUNDING OF POSTED BAIL

Any defendant who has bail or bond posted on their case shall have their bail or bond exonerated upon order of the Court. If cash bail was posted subsequent to the issuance of a bench warrant, the Clerk of the Court is authorized to deduct a warrant fee prior to refunding bail. This rule

shall also apply if a person other than the Defendant posted bail.

[Adopted effective September 1, 2003]

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STMCLR 2.2  
REQUIREMENTS FOR PAYMENT ON  
COURTESY WARRANT CALENDAR

- a) A defendant who has been charged with a criminal violation and has an outstanding warrant in the SeaTac Municipal Court may request to attend the Courtesy Warrant Calendar.
- b) Prior to appearing on the Courtesy Warrant Calendar, the defendant must pay all outstanding warrant fees to the SeaTac Municipal Court.
- c) All warrant fees collected pursuant to this rule must be paid in cash.
- d) A defendant may only appear on the Courtesy Warrant Calendar once per cause number.

[Adopted effective September 1, 2003]

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STMCLR 3.2.1  
Bail in Domestic Violence Cases

a) Bail shall not be set for a person arrested for a new domestic violence offense unless set by a judge telephonically at the time of arrest, or at a preliminary appearance, arraignment or subsequent court appearance.

b) For purposes of this rule, "domestic violence" includes but is not limited to any of the misdemeanor or gross misdemeanor offenses listed in RCW 10.99.020(3), or similar municipal ordinance, when committed by one family or household member against another.

c) For purpose of this rule, "family or household members" are those persons listed in RCW 10.99.020(1) or similar municipal ordinance.

[Emergency Rule Effective January 10, 2003]

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STMCLR 3.4  
VIDEO CONFERENCE PROCEEDINGS

(1) Authorization. Preliminary appearances held pursuant to CrRLJ 3.2.1(d), arraignments held pursuant to CrRLJ 3.4 and CrRLJ 4.1, bail hearings held pursuant to CrRLJ 3.2, and trial settings held pursuant to CrRLJ 3.3(f), may be conducted by video conference in which all participants can simultaneously see, hear, and speak with each other. Such proceedings shall be deemed held in open court and in the defendant's presence for the purposes of any statute, court rule or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the SeaTac Municipal Court Judge or Judge Pro-Tem. Any party may request an in-person hearing, which may be granted at the discretion of the SeaTac Municipal Court Judge or Judge Pro-Tem.

(2) Agreement. Other trial court proceedings including the entry of a Statement of Defendant on Plea of Guilty as provided for by CrRLJ 4.2 may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the SeaTac Municipal Court Judge or Judge Pro-Tem.

(3) Standards for Video Conference Proceedings. The judge, counsel, all parties, and the public must be able to see and hear each other during proceedings, and speak as permitted by the judge. Video conference facilities must provide for confidential communications between attorney and client and security sufficient to protect the safety of all participants and observers. In interpreted proceedings, the interpreter must be located next to the defendant and the proceeding must be conducted to assure that the interpreter can hear all participants.

[Effective Date: September 1, 2007]

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STMCLR 4.1  
AUTHORIZATION FOR CONTINUANCE  
OF ARRAINGMENTS

If a defendant requests a continuance of his or her arraignment date, the court clerk is authorized to continue and reset the arraignment to a date not later than fourteen (14) days after the date on which the arraignment was initially set, without the matter needing to come before the court in open session to consider the request for a continuance of the arraignment, on the following conditions:

1. That the defendant who is requesting the continuance of the arraignment shall have had no previous warrants issued involving any criminal case for a failure to appear or a failure to comply with a court order;

2. That the defendant shall sign a waiver of his/her right to a speedy trial, with that waiver waiving speedy trial rights for a period of at least 90 days from the date of the rescheduled-continued arraignment.

This authorization for continuance of arraignment shall not apply to cases involving alleged Domestic Violence

Assaults, harassments or any other case where a Protection or No Contact Order has been requested.

Any other requests for continuance of arraignment, whether for a period of time longer than that authorized herein above or for cases not meeting the above criteria shall be presented to the court in open session for consideration of the continuance request.

[Adopted effective September 1, 2003]

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STMCLR 4.5  
PETITIONS FOR DEFERRED PROSECUTION

All petitions for deferred prosecution shall be in strict compliance with the requirements of RCW 10.05. Copies shall be served on the City of SeaTac Prosecuting Attorney. Findings of Fact, Conclusions of Law, and Order shall be submitted on SeaTac Municipal Court form Order Granting Deferred Prosecution.

[Adopted effective September 1, 2003]

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STMCLR 6.1  
TRIAL BY JURY

(1) Any case confirmed for jury trial at the readiness hearing shall remain set for a jury trial.

(2) On the last regular judicial preceding the trial date, the Prosecuting Attorney, and the defense attorney or the defendant, if appearing pro se, shall confirm the jury trial in writing or by telephone to the Clerk of the Court before noon, or advise that some other disposition has been reached.

Any party that fails to confirm a jury trial as required will be in contempt, and will subject the party to the imposition of terms.

(3) If on the date scheduled for trial, the defendant waives his/her right to a confirmed jury trial, whether by entry of a plea or otherwise, the Defendant shall be responsible for payment to the Municipal Court in the amount of the actual costs incurred by the Municipal Court for jury fee payments and mileage reimbursements, unless the Judge presiding over the case specifically determines that those fees and costs or the full amount of those fees and costs shall not be paid under the circumstances of the Defendant's case.

[Adopted effective September 1, 2003]

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STMCLR 10.1  
ANTI-HARASSMENT PROTECTION ORDERS

1. By adoption of this local rule, the SeaTac Municipal Court hereby exercises jurisdiction and cognizance of any civil actions and proceedings brought under RCW 10.14.150, as now or hereafter amended, except the SeaTac Municipal Court shall transfer such actions and proceedings to the superior court when it is shown that the respondent to the petition is under eighteen years of age.

2. The SeaTac Municipal Court's jurisdiction pursuant to this rule shall be limited to situations:

a. When the alleged acts of unlawful harassment occurred within the SeaTac city limits; or

b. When the respondent resides within the SeaTac city limits at the time the petition is filed; or

c. When the respondent may be served within the SeaTac city limits if it is the same county or judicial district where a respondent resides.

3. The Clerk of the Municipal Court may charge a filing fee in an amount equal to that charged by the King County District Court for the filing of a Petition for an Anti-harassment Protection Order, but such filing fee shall not be less than fifty-one dollars (\$51.00). The Municipal Court Judge has discretion to waive or reduce the filing fee upon a showing of indigence, financial hardship, or other good cause.

[Adopted effective September 1, 2005]

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STMCLIR 1.3  
ADOPTION OF LOCAL RULES

These rules are adopted pursuant to IRLJ 1.3

[Adopted effective September 1, 2003]

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STMCLIR 1.4  
TITLE OF RULES

These rules may be known and cited as the SeaTac Municipal Court Local Infraction Rules and shall be referred to as STMCLIR.

[Adopted effective September 1, 2003]

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STMCLIR 1.5  
REQUIREMENTS FOR PAYMENT FOLLOWING INFRACTION HEARINGS

1. If a defendant who has been charged with a traffic or other infraction filed with the SeaTac Municipal Court is found to have committed that infraction, absent extenuating circumstances, the defendant shall make payment in full of the amount of the penalty at the time of the hearing in which the defendant was found to have committed the infraction.
2. Time payments on infractions will be permitted only upon a showing of exceptional and exigent circumstances in court, at the time of the hearing on the contested infraction. The decision by the judge to authorize time payments in infraction cases shall be subject to the conditions set at the time of the order authorizing time payments.
3. Failure to make payment on the penalties for committed infractions shall be enforceable pursuant to otherwise applicable court rule, state law or administrative code regulations.

Notice

Pursuant to SeaTac Local Court Rule 11, the SeaTac Municipal Court will not permit time payments following infraction hearings. Therefore, if a monetary penalty is imposed by the Judge, it will be necessary for you to be prepared to pay the penalty in full immediately following the conviction. Failure to pay the penalty amount immediately following the hearing will result in an additional \$47.00 penalty and a suspension of your driver's license by the Department of Licensing.

[Former Rule 11 adopted September 15, 1994; amended and renumbered as STMCLIR 1.5 effective September 1, 2003]

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STMCLIR 2.4  
HANDLING OF REQUESTS FOR CONTESTED  
HEARINGS AFTER FAILURE TO RESPOND

1. If a defendant who has failed to appear or respond to a notice of infraction, as required by RCW 46.63.070 and Rule 2.4 of the Infraction rules for Courts of Limited Jurisdiction (IRLJ) requests that the court set his/her case for a contested hearing, the court clerk shall be authorized

to set a date for a contested hearing, and retrieve pleadings and/or correspondence from the Department of Licensing reflecting the failure to respond or appear, if any was sent, on the following conditions:

- A. The defendant, within one week of the date by which a request for a contested hearing should have been received by the court, delivers to the court an envelope containing his/her request for a contested hearing, with a postmark clearly indicating that the envelope was addressed and mailed to the Municipal Court within the time frame for requesting contested hearings pursuant to statute and court rule, and with the envelope indicating that it was returned to the defendant, for whatever reason; or,
  - B. The court, within one week of the date by which a request for a contested hearing should have been received by the court, receives in the mail an envelope containing the defendant's request for a contested hearing, with the envelope showing a postmark clearly indicating that the envelope was mailed to the Municipal Court within the time frame for requesting contested hearings pursuant to statute and court rule.
2. In all other cases, the defendant shall not be entitled to a contested hearing, and the disposition of his/her infraction shall be dealt with as provided for in the statute and/or court rule for failures to respond or appear.

[Adopted effective September 1, 2003]

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STMCLIR 3.5  
AUTHORIZING DECISIONS ON  
WRITTEN STATEMENTS

Upon receipt of written statements on infraction cases involving contested hearings and mitigation hearings, the court is authorized to enter decisions based upon such written statements, pursuant to IRLJ 3.5.

[Adopted effective September 1, 2003]

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STMCLIR 6.2  
MANDATORY LIABILITY INSURANCE  
VIOLATIONS -PROOF OF INSURANCE

1. If a person cited with a violation RCW 46.30.020 presents to the court clerk evidence that the person had in effect at the time of the citation liability insurance as required by RCW 46.30.020, then, upon payment of twenty-five dollars (\$25.00) statutory court costs, the case shall be dismissed and the court clerk shall be authorized to make



appropriate notation of the dismissal in the court file.

2. If a person cited with violation of RCW 46.30.020 has subsequently obtained liability insurance in conformity with the requirements of RCW 46.30.020, and proof is provided to the Court prior to the date of contested hearing, then the monetary penalty shall be reduced to one hundred fifty dollars (\$150.00). Upon payment of the one hundred and fifty dollar (\$150.00) monetary penalty, the court clerk shall be authorized to enter a finding that the infraction was committed, and make appropriate notations in the court record. The person cited will be relieved of any further need to appear in court in connection with the infraction if full payment is received prior to the date of the scheduled court hearing.
3. Payment of any monetary penalty assessed pursuant to this rule shall be made by cash or money order.

[Adopted effective September 1, 2003]

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STMCLIR 6.6(d)  
Speed Measuring Device: Design and Construction  
Certification.

- (d) Payment of Expert. Any person who requests production of an electronic speed measuring devise (SMD) expert, and who is thereafter found by the Court to have committed the infraction, may be required to pay the fee charged by the expert as a cost incurred by that party, as provided in RCW 46.63.151.

[Adopted effective May 21, 1996]

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